

MONDAY, FEBRUARY 26, 1996

SIXTY-SIXTH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Dr. Gene Burgess.

Representative Ridgeway led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 95

Representatives present were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh – 95.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Cross; illness.

Representative Garrett; business.

Representative Odom; business.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 2043: Rep(s). Ford as prime sponsor(s).

House Bill No. 2318: Rep(s). Rhinehart as prime sponsor(s).

**MESSAGE FROM THE GOVERNOR
February 23, 1996**

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 422, 423, 424, 425 and 427, with his approval.

HARDY MAYS, Counsel to the Governor.

**MESSAGE FROM THE SENATE
February 26, 1996**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2444 and 2446; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Bill No. 2444 -- Bankruptcy - Clarifies that state law applies only if filing continuation statement has been enjoined. Amends TCA Section 47-9-403. by *Cohen.

Senate Bill No. 2446 -- Liens - Exempts installation of underground facilities and security fencing from visible commencement of operations attachment of lien requirements. Amends TCA Section 66-11-104. by *Cohen.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

House Resolution No. 178 -- General Assembly, Review Or Ratification of Rules Ratifies amendments to Rules of Evidence and Appellate and Civil Procedure. by *Purcell, *Chumney, *Hargrove, *Buck, *Jackson, *Williams (Williamson).

Judiciary Committee

House Joint Resolution No. 444 -- Naming and Designating - "Bicentennial Wagon Train of 1996." by *Newton.

State and Local Government Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for February 28, 1996:

House Resolution No. 179 -- Memorials, Academic Achievement - Carrie Rebecca Painter, All American Scholar's award recipient. by *Williams (Union).

House Joint Resolution No. 445 -- Memorials, Personal Achievement - Mrs. Andrew Jackson Powell, one hundredth birthday. by *West.

House Joint Resolution No. 446 -- Memorials, Death - E. G. Bryant. by *Davis.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 3250 -- Bradley County - Subject to local approval, grants board of directors of Bradley County Memorial Hospital same powers granted to private act metropolitan hospital authorities under TCA Title 7, Chapter 57, Part 5. Amends Chapter 846 of the Private Acts of 1947. by *Bird.

House Bill No. 3251 -- Marshall County - Subject to local approval, creates "Marshall County Adequate Facilities Tax." by *Fowlkes.

House Bill No. 3252 -- Alcoa - Subject to local approval, revises city charter - Amends Chapter 510 of the Private Acts of 1919. by *Clabough.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 1841** -- County Boundaries - Establishes portion of county line between Carroll and Henry counties from point line intersects east line from Weakley County to point line crosses center of S.R. 76. by *Carter, *Hamilton.

***Senate Bill No. 2203** -- Banks and Financial Institutions - Increases permissible amount that may be contained in mortgage escrow account; makes compliance with federal law sufficient for state compliance. Amends TCA Section 45-13-109. Repeals TCA Section 45-1-128. by *Rochelle.

***Senate Bill No. 2276** -- Civil Service - Requires departments of personnel and finance and administration to make reports to general assembly of certain job position changes. Amends TCA Section 8-30-211. by *Crutchfield, *Holcomb.

***Senate Bill No. 2308** -- Statutes - Provides that provisions of each bill enacted into law deemed to be severable unless, in given case, particular bill specifically includes reverse severability clause. Amends TCA Title 3, Chapter 2. by *Rice.

***Senate Bill No. 2355** -- Public Buildings - Authorizes board of directors of public building authorities to establish executive committee and position of administrator; authorizes board and committees to take action by written consent if authorized by charter and bylaws. Amends TCA Section 12-10-108. by *Atchley.

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Senate Bill No. 2365 -- Pensions and Retirement Benefits - Expands TCRS authority to make lump sum payments for small estates. Amends TCA Section 8-36-120(a); Section 8-37-104(a)(8). by *Atchley.

***Senate Bill No. 2405** -- Criminal Offenses - Reduces offense of fleeing to evade arrest from Class A to Class B misdemeanor if person flees on foot to conform to present misdemeanor classification for preventing or obstructing officer serving process where no deadly weapon is used. Amends TCA Section 39-16-603. by *Rice.

Senate Bill No. 2414 -- Driver Licenses - Revokes driver license if student fails to maintain satisfactory academic progress in school. Amends TCA Section 49-6-3017; Section 55-50-502 and Sections 55-50-511 through 55-50-514. by *Springer.

Senate Bill No. 2585 -- Districting, Congressional - Revises composition of Districts 1 and 2. by *Atchley, *Gilbert, *McNally.

***Senate Bill No. 2595** -- Naming and Designating - "Anderson National Guard Armory," Fayetteville. by *Cooper.

***Senate Bill No. 2736** -- Apportionment, Legislative - Transfers 12 census tract blocks from Senate District 21 to Senate District 19. Amends TCA Section 3-1-102. by *Henry, *Harper.

Senate Bill No. 2837 -- Aircraft and Airports - Authorizes airport authorities to be composed of five to 11 members rather than five members. Amends TCA Title 42, Chapter 3. by *Wright.

***Senate Bill No. 2844** -- County Officers - Permits interim county executive to be appointed if office becomes vacant in middle of term. Amends TCA Title 5, Chapter 5, Part 1. by *Henry, *Springer.

***Senate Bill No. 2989** -- Naming and Designating - "Nell J. Garland Administration Building," campus of Tennessee Correction Academy, Tullahoma. by *Cooper, *Henry, *O'Brien.

Senate Bill No. 3017 -- Municipal Government - Allows credit of 25 hours for associate degree or 50 hours for bachelor degree towards required 100 hours of education courses for municipal clerk certification. Amends TCA Section 6-54-120(b) and (c). by *Womack.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 3248 -- Gainesboro -- Local Bills Held on House Desk

House Bill No. 3249 -- Alamo -- Local Bills Held on House Desk

CAPTION BILLS REFERRED

Pursuant to **Rule No. 47**, the following Caption Bill(s), held on the Clerk's desk were referred to the following Committee(s):

House Bill No. 3227 -- Private Protective Services -- House Government Operations Committee

CONSENT CALENDAR

***House Bill No. 2386** -- Highway Signs - "Veterans Memorial Parkway," S. R. 111, Putnam County Amends TCA. by *Hargrove. (SB2639 by *Burks)

On motion, House Bill No. 2386 was made to conform with **Senate Bill No. 2639**; the Senate Bill was substituted for the House Bill.

House Bill No. 2427-- County Officers - Prescribes qualifications for election and regulation of constables Amends TCA Title 8, Chapter 10. by *Ford S, *Sharp, *Roach, *Davis, *Williams (Union), *Patton, *Peach, *Winningham, *Newton, *Westmoreland, *McDaniel, *Kent, *Cole (Carter), *Fitzhugh, *Ramsey. (*SB2221 by *Haun)

***House Bill No. 2426** -- Aircraft and Airports - Authorizes airport authorities to be composed of five to 11 members rather than five members. Amends TCA Title 42, Chapter 3. by *McDonald, *Stamps. (SB2837 by *Wright)

House Bill No. 1839-- Perry County - Subject to local approval, designates circuit court clerk as clerk of general sessions court when general sessions court exercises juvenile jurisdiction; relieves county clerk of duties. by *Peach. (*SB1830 by *Springer)

On motion, House Bill No. 1839 was made to conform with **Senate Bill No. 1830**; the Senate Bill was substituted for the House Bill.

House Bill No. 2582-- Motor Vehicles, Titling and Registration - Requires special designs for honorably discharged special license plates for World War II, Korean War and Desert Storm veterans. Amends TCA Title 55, Chapter 4, Part 2. by *Cole (Carter), *Huskey, *Kent, *Patton, *Naifeh, *Rinks, *Bragg, *Rhinehart, *Gunnels, *Williams (Williamson). (*SB2879 by *Crowe)

House Bill No. 2278 -- Fiduciaries - Permits appointment of more than one custodian on transfer; allows minor's name to be placed first on transfer. Amends TCA Title 35, Chapter 7. by *Fowlkes, *Callicott, *Fowlkes. (*SB2310 by *Miller J, *Fowler)

On motion, House Bill No. 2278 was made to conform with **Senate Bill No. 2310**; the Senate Bill was substituted for the House Bill.

***House Bill No. 2236**-- Bankruptcy - Clarifies that state law applies only if filing continuation statement has been enjoined. Amends TCA Section 47-9-403. by *Fowlkes. (SB2444 by *Cohen)

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On motion, House Bill No. 2236 was made to conform with **Senate Bill No. 2444**; the Senate Bill was substituted for the House Bill.

***House Bill No. 2238--** Liens - Exempts installation of underground facilities and security fencing from visible commencement of operations attachment of lien requirements. Amends TCA Section 66-11-104. by *Fowlkes. (SB2446 by *Cohen)

On motion, House Bill No. 2238 was made to conform with **Senate Bill No. 2446**; the Senate Bill was substituted for the House Bill.

***House Bill No. 2305 --** Highway Signs - "Carolyn Foster - Diane Collins Memorial Bridge," Richland Creek, Pulaski Bypass. by *Fowlkes. (SB2589 by *Cooper)

On motion, House Bill No. 2305 was made to conform with **Senate Bill No. 2589**; the Senate Bill was substituted for the House Bill.

***House Bill No. 2235 --** Highway Signs - "Bobby Workman Memorial Bridge," Brownlow Creek Road, S.R. 166, Giles County. by *Fowlkes. (SB2425 by *Cooper)

On motion, House Bill No. 2235 was made to conform with **Senate Bill No. 2425**; the Senate Bill was substituted for the House Bill.

***House Bill No. 2306 --** Highway Signs - "Kelly D. Phillips Memorial Bridge," Highway 31, north of Pulaski. by *Fowlkes. (SB2588 by *Cooper)

On motion, House Bill No. 2306 was made to conform with **Senate Bill No. 2588**; the Senate Bill was substituted for the House Bill.

House Bill No. 2157 -- Sunset Laws - Information systems council, June 30, 2002. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by *Kernell, *Garrett, *Brooks. (*SB1985 by *Haynes)

On motion, House Bill No. 2157 was made to conform with **Senate Bill No. 1985**; the Senate Bill was substituted for the House Bill.

House Bill No. 2154 -- Sunset Laws - Interstate compact on mental health, June 30, 2004. Amends TCA Title 4, Chapter 29, and Title 33, Chapter 9. by *Kernell, *Garrett, *Brooks. (*SB1983 by *Haynes)

On motion, House Bill No. 2154 was made to conform with **Senate Bill No. 1983**; the Senate Bill was substituted for the House Bill.

***House Bill No. 2461 --** Sunset Laws - Adds post conviction defender commission to sunset provisions, June 30, 1997. Amends TCA Title 4, Chapter 29 and Title 40, Chapter 30. by *Kernell, *Garrett, *Brooks. (SB2856 by *Haynes)

On motion, House Bill No. 2461 was made to conform with **Senate Bill No. 2856**; the Senate Bill was substituted for the House Bill.

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House Bill No. 2466 -- Sunset Laws - Domestic violence state coordinating council, June 30, 1997. Amends TCA Title 4, Chapter 29 and Title 38, Chapter 4. by *Kernell, *Garrett, *Brooks. (*SB2623 by *Haynes)

On motion, House Bill No. 2466 was made to conform with **Senate Bill No. 2623**; the Senate Bill was substituted for the House Bill.

House Bill No. 2991 -- Sunset Laws - Modular building units advisory council, June 30, 1998. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 126. by *Kernell, *Garrett, *Brooks. (*SB2964 by *Haynes)

House Bill No. 2993 -- Sunset Laws - Local government insurance committee, June 30, 2000. Amends TCA Title 4, Chapter 29 and Title 8, Chapter 27. by *Kernell, *Garrett, *Brooks. (*SB2963 by *Haynes)

House Bill No. 2992 -- Sunset Laws - Tennessee neighborhood development corporation, June 30, 2000. Amends TCA Title 4, Chapter 29 and Title 13, Chapter 13. by *Kernell, *Garrett, *Brooks. (*SB2965 by *Haynes)

House Bill No. 2988 -- Sunset Laws - Revises termination date of council for hearing instrument specialists from June 30, 1997 to June 30, 1999. by *Kernell, *Garrett, *Brooks. (*SB2962 by *Haynes)

House Bill No. 2436 -- Motor Vehicles, Titling and Registration - Establishes perfection of liens on motor vehicles from time of delivery of title information, rather than time of notation; makes other changes relative to responsibilities of county clerks in titling and registration Amends TCA Title 55. by *Odom. (*SB2460 by *McNally, *Wallace)

***House Bill No. 3244** -- Oliver Springs - Subject to local approval, creates new municipal election date to coincide with other municipal elections in county. Amends Chapter 247 of the Acts of 1905; as amended. by *Cantrell. (SB3237 by *O'Brien)

House Bill No. 2878 -- Sumner County - Subject to local approval, repeals purchasing law. by *Stamps, *McDonald. (*SB3037 by *Wright)

House Joint Resolution No. 443 -- Memorials, Personal Occasion - Rosa Lee Callis Birdwell. by *Stamps.

Senate Joint Resolution No. 333 -- Memorials, Public Service - Janey Tyner, Governor Elect, Tennessee District Pilot International. by *Hamilton.

Senate Joint Resolution No. 337 -- Memorials, Personal Occasion - Elizabeth Jane Gentry Hendley, anniversary of 175th birthday. by *Burks.

Senate Joint Resolution No. 338 -- Memorials, Public Service - Oscar Scott, winner, National Jefferson Award for Outstanding Community Service. by *Burks.

OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Bill No. 2427: by Rep. Windle.

House Bill No. 2426: by Rep. West.

House Bill No. 2436: by Rep. Buck.

Under the rules, House Bill No: 2427, 2426, and 2436 was/were placed at the foot of the calendar for February 28, 1996.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes 94
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood -- 94.

A motion to reconsider was tabled.

REGULAR CALENDAR

***House Bill No. 2318** -- Taxes, Sales - Redefines "industrial machinery" for sales and use tax purposes to include component parts necessary for mechanical or chemical actions or operations of machinery. Amends TCA Title 67, Chapter 6. by *Rhinehart. (SB2491 by *Rochelle)

Rep. Rhinehart moved that House Bill No. 2318 be passed on third and final consideration.

Rep. Bragg moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2318 by inserting in the amendatory language of Section 1 of the printed bill the language "and fluids or chemicals" after the language "component parts".

On motion, Amendment No. 1 was adopted.

Rep. Rhinehart moved that **House Bill No. 2318**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	94
Noes	0
Present and not voting.....	1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

Representatives present and not voting were: Tindell -- 1.

A motion to reconsider was tabled.

***House Bill No. 2045** -- Teachers - Provides that guidance counselors certified as of July 1, 1995, do not have to comply with any additional certification requirements after that date. Amends TCA Title 49, Chapter 5 and Title 49, Chapter 6. by *Davis. (SB2145 by *Haun)

Rep. Davis moved that **House Bill No. 2045** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	93
Noes	0
Present and not voting.....	1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, S.,

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Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

Representatives present and not voting were: Brooks -- 1.

A motion to reconsider was tabled.

House Bill No. 819 -- Education - Allows commissioner of education to grant one-year extension for principals and administrators for required attendance at principal-administrator academy. Amends TCA 49-5-5703. by *Davis, *Huskey, *Roach. (*SB70 by *Haun)

Rep. Davis moved that House Bill No(s). 819 be reset to the Regular Calendar for March 4, 1996, which motion prevailed.

***House Bill No. 2043** -- Marriage - Allows retired county commissioners with minimum 15 years' service to perform marriage ceremonies. - Amends TCA Section 36-3-301. by *Davis. (SB2143 by *Haun)

On motion, House Bill No. 2043 was made to conform with **Senate Bill No. 2143**; the Senate Bill was substituted for the House Bill.

Rep. Davis moved that Senate Bill No. 2143, be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

Rep. Davis moved that **Senate Bill No. 2143** be passed on third and final consideration, which motion failed by the following vote:

Ayes.....	47
Noes	42
Present and not voting.....	3

Representatives voting aye were: Armstrong, Beavers, Bell, Bird, Bittle, Bragg, Brown, Buck, Callicott, Cantrell, Clabough, Cole (Carter), Curtiss, Davidson, Davis, Eckles, Ford, Fowlkes, Gunnels, Hassell, Head, Hicks, Huskey, Jones, S., Joyce, Kent, Langster, McDaniel, McKee, Miller, Napier, Newton, Peach, Phelan, Phillips, Pruitt, Purcell, Rhinehart, Roach, Robinson, Stamps, Tindell, Venable, West, Whitson, Williams (Williamson), Winningham -- 47.

Representatives voting no were: Arriola, Bowers, Boyer, Brooks, Burchett, Byrd, Chumney, Coffey, Cole (Dyer), DeBerry, L., Duer, Dunn, Fitzhugh, Givens, Haley, Halteman

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Harwell, Hargrove, Herron, Jackson, Jones, U. (Shelby), Kernell, Kerr, Lewis, McAfee, McMillan, Patton, Pinion, Ramsey, Ridgeway, Rinks, Ritchie, Sharp, Shirley, Stulce, Turner (Hamilton), Turner (Shelby), Walley, White, Williams (Union), Windle, Wood, Mr. Speaker Naifeh -- 42.

Representatives present and not voting were: Kisber, McDonald, Westmoreland -- 3.

Having failed to receive a constitutional majority, the Speaker re-referred **Senate Bill No. 2143** to the Calendar and Rules Committee.

UNFINISHED BUSINESS

BILLS WITHDRAWN

On motion of Rep. Halteman Harwell, **House Bill Nos. 1769 and 1771** were recalled from the Judiciary Committee and withdrawn from the House.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 389: Rep(s). Rhinehart as prime sponsor(s).

House Bill No. 1948: Rep(s). Newton as prime sponsor(s).

House Bill No. 1965: Rep(s). Newton as prime sponsor(s).

House Bill No. 2104: Rep(s). Stamps as prime sponsor(s).

House Bill No. 2219: Rep(s). Newton as prime sponsor(s).

House Bill No. 2365: Rep(s). Haley as prime sponsor(s).

House Bill No. 2568: Rep(s). Cole (Dyer) as prime sponsor(s).

House Bill No. 2669: Rep(s). Head as prime sponsor(s).

House Bill No. 2681: Rep(s). Bittle as prime sponsor(s).

House Bill No. 2761: Rep(s). Ridgeway, L. DeBerry, Rinks, Hargrove, Chumney, Bowers, J. DeBerry, Fitzhugh, Langster, McMillan, and White as prime sponsor(s).

House Bill No. 2767: Rep(s). L.DeBerry, Ridgeway, Rinks, Hargrove, Chumney, Bowers, J. DeBerry, Fitzhugh, Langster, McMillan and White as prime sponsor(s).

House Bill No. 2862: Rep(s). Newton as prime sponsor(s).

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House Bill No. 2916: Rep(s). L.DeBerry, Ridgeway, Rinks, Hargrove, Chumney, R. Jones, Bowers, J. DeBerry, Fitzhugh, Langster, McMillan, White, Stulce and Turner(Hamilton) as prime sponsor(s).

House Bill No. 2917: Rep(s). L.DeBerry, Ridgeway, Rinks, Hargrove, Chumney, Bowers, J. DeBerry, Fitzhugh, Langster, McMillan, White, Stulce and Turner(Hamilton) as prime sponsor(s).

House Bill No. 2918: Rep(s). Newton as prime sponsor(s).

House Bill No. 2974: Rep(s). Pruitt as prime sponsor(s).

House Bill No. 2972: Rep(s). Newton, as prime sponsor(s).

House Bill No. 3100: Rep(s). Pruitt as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). Stulce was/were removed as sponsor(s) of **House Bill No. 2972.**

**MESSAGE FROM THE GOVERNOR
February 26, 1996**

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 428, with his approval.

HARDY MAYS, Counsel to the Governor.

**ENROLLED BILLS
February 26, 1996**

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 2148 and 2151; House Joint Resolution(s) No(s). 430, 432, 433, and 442.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

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**SIGNED
February 26, 1996**

The Speaker signed the following: House Bill(s) No(s). 2148 and 2151; House Joint Resolution(s) No(s). 430, 432, 433, and 442.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
February 26, 1996**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2148 and 2151; also, House Joint Resolution(s) No(s). 430, 432, 433, and 442; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK
February 26, 1996**

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 2148 and 2151; also, House Joint Resolution(s) No(s). 430, 432, 433 and 442.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENGROSSED BILLS
February 26, 1996**

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 2045, 2318, 2582, 2878, 2988, 2991, 2992, 2993, and 3244; also, House Joint Resolution(s) No(s). 443.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
February 26, 1996**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2119; substituted for Senate Bill(s) on the same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE
February 26, 1996**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2660; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

February 26, 1996

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2085 and 2257; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ROLL CALL

The roll call was taken with the following results:

Present 93

Representatives present were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

RECESS MOTION

On motion of Rep. Purcell, the House recessed until 2:00 p.m., Wednesday, February 28, 1996.